

Before the
UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Francitas Texas Post Office
Francitas, Texas 77961

Docket No. A2011-47

PUBLIC REPRESENTATIVE'S REPLY COMMENTS

(October 25, 2011)

I. INTRODUCTION

This case addresses an appeal of the Postal Service's decision to close the Francitas, Texas Post Office and to provide the former patrons with rural route service out of the La Ward Post Office or with cluster box units (CBUs). See Administrative Record (Docket No. A2011-47), Item Nos. 36 at 5 and 47 at 4.

The Commission accepted appeals of this decision from Carolyn and Ashley Jalufka and Raymond Salinas, Jr.¹ (Petitioner Salina's Participant Statement indicates he is filing on behalf of the Francitas Community.)

These Reply Comments incorporate by reference the recitation of standards and law at pages 6-7 of Part IV of the Reply Comments of the Public Representative in Docket No. A2011-37, Thayer, Iowa. The focus here is on matters the undersigned considers within the scope of "the interests of the general public" in this case. These include:

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¹ Commission Order No. 805, Notice and Order Accepting Appeal and Establishing Procedural Schedule, August 16, 2011 (Order No. 805) accepted the appeal of Carolina Jalufka. Therein, the Commission identified failure to consider the effect on the community as the issue raised by the Petitioner.

- supplementing the record with additional information on the community of Francitas;
- addressing the adequacy of the response to customer's comments provided on returned questionnaires; and
- reviewing the adequacy of the economic analysis.

II. Effect on the Community

The Francitas Post Office is located in an unincorporated community of the same name in southeastern Jackson County, Texas.² Jackson County, in turn, is in southeastern Texas, along the Gulf of Mexico. Jackson County is one of the original twenty-three counties of Texas, created on March 17, 1836 and formally organized in 1837 from an old Mexican municipality.³ This area is sometimes referred to as the "Coastal Prairies" region. It is located roughly halfway between Houston and Corpus Christi.⁴

The Postal Service observes that the community is comprised of retired people, farmers/ranchers, and those who commute to work at nearby communities and work in local businesses. Administrative Record (Docket No. A2011-47), Item No. 36 at 6. And, in response to customers' concerns about loss of community identity, the Postal Service provides its standard response:

² The Administrative Record "moves" Francitas to neighboring Calhoun County in several places, but also moves it back to Jackson County. *Compare* Administrative Record (Docket No. A2011-47) Item No. 1 at 1, 2 and 3 and Item No. 36 at 6 with Item No. 5. Petitioner Jalufka notes the reference to the incorrect county in her Petitioner's Statement at 3 (September 12, 2011).

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³ <http://www.historictexas.net/jackson/>

⁴ <http://theoldentimes.com/jacksonmain.html>.

A community's identity derives from the interest and vitality of its residents and their use of its name. The Postal Service is helping to preserve community identity by continuing the use of the suspended Post Office name

Item No. 36 at 2, Administrative Record in Docket No. A2011-47.

A community's identity also derives from its history. In the case of Francitas, an article in the Handbook of Texas Online says the community was founded in the late 1890s by a small group of French settlers.⁵ Railroad workers, apparently inspired by the settlers' origins, coined the town's name. *Id.* (Proximity to Spanish-speaking Mexico may have played a role, as well). The article adds:

In 1909, representatives of the Valley Fruit Farm and Garden Company promoted the community by a public sale of town lots. In 1910 acreage purchased from Lafayette Ward, a local rancher, was surveyed into additional town lots and opened for settlement. The next year [1911] officials granted a post office to the community, and C.O. Hardy⁶ served as the first postmaster.

Id.

Source: <http://www.historictexas.net/jackson/towns/francitas.htm>

An early issue of *The Francitas Bee* adds this note about the community's efforts to bring a post office to town in an item captioned "Retrospect":

⁵ In Stephen L. Hardin, "FRANCITAS, TX," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/hnf38>). Published by the Texas State Historical Society.

⁶ Postmaster Hardy apparently served from January 26, 1911 until August 1927, when Ruth Hardy became postmaster (relationship not indicated in records). Jim Wheat's *Postmasters & Post Offices of Texas, 1846-1930* (chapter on *Postmasters & Post Offices of Jackson County, Texas, 1846-1930*).

To secure a post office required a long, hard struggle. While waiting for the postal authorities to act on the petition, mail for Francitas was delivered at Blessing and was carried over here by whoever happened along. The courtesy of George Walker, Blessing's postmaster, made this arrangement much more pleasant for our people.

Source: http://www.rootsweb.ancestry.com/~txmatago/jackson_fbee1911_nov23.htm,

This "Message from the North" from one early resident⁷ of Francitas who moved to Nebraska appeared in the January 11, 1912 edition of the *Francitas Bee*, almost one year after the post office opened:

A Message from the North.
Elwood, Nebraska, 1-6, 1912
Editor Francitas Bee,
Francitas, Texas.
Dear Sir:—Please find enclosed \$1.00 my renewal for The Bee for this year. I think of Francitas often the last three weeks as the thermometer has been from zero to 20 below most of the time. When I shovel coal in the furnace nights and mornings I wish I was in Texas.
Yours very truly
C. W. SMITH,
Elwood, Neb.

More recently, Vanessa Akin, a patron of the Francitas Post Office who also has served as a Postmaster Relief, offered this perspective:

Not long ago I was talking to some friends after they returned from a trip to Hawaii, where they said they

⁷ Those familiar with Periodicals (formerly Second-Class Mail) issues know that "snowbird" is a term for newspaper subscribers who leave a cold-weather region for warmer climes during the winter months and have their local newspaper mailed to their temporary location. In addition, although no postmark is available, dates on Mr. Smith's letter, in the newspaper, and the 1912 calendar indicate First-Class Mail service must have been quite good between Elwood, Nebraska and Francitas, Texas.

visited the smallest United States Post Office. I wondered if that was true, as I have seen some pretty small post offices in the area where I live! The statement made me think of the Post Office building that was used when I was growing up in Francitas, Texas. It was a very small building, but much loved by the residents. I remember my parents going in to "check the mail," and the groan we kids would make when we saw another car there. It meant that mom or dad was going to be a while visiting. Our Post Office building has since changed, but it being the center of our small community has not. ...

Item No. 22 at 71 (Administrative Record, Docket No. A2011-47.)

III. CURRENT AND PROPOSED POSTAL OPERATIONS IN FRANCITAS

The following table, developed from documents in the Final Determination presents selected data and information about current Francitas Post Office operations:

Table 1
Francitas (Texas) Post Office
Selected Operational Data and Information

	Current
Staffing	
Postmaster Position	Vacant since postmaster's promotion on 7/19/208
PMR	Noncareer; may be separated
Customers	
P.O. Box Delivery	66
City Delivery Customers	0
Meter or Permit Customers	0
General Delivery, Rural Route and Highway Contract Route	0
Retail Operations	
Days of Operation Monday through Friday?	Yes
Window Service Hours	8 a.m. to 2 pm.
Lobby Hours	8 a.m. to 2 pm.
Saturday?	Yes
Window Service Hours	8 a.m. to 10 a.m.

Lobby Hours	
Seasonal Workload?	No*
Daily retail window transactionss	4
Average daily retail transactions	
Collection Box	Yes
Bulletin Board	Yes

Source: Adapted from Administrative Record
(Docket No. A2011-47), Item Nos. 1, 15, 36, and 47.

The Postal Service proposes providing Francitas residents with rural route service and, perhaps, with cluster box units (CBUs). This will bring operations at the Francitas Post Office to a close during its 100th year anniversary.

III. Economic Savings

The Postal Service estimates total annual savings of \$19, 896 after closing the Francitas Post Office. This is based on a Postmaster's salary and benefits of \$30,738, less \$10,842 for replacement service. Administrative Record (Docket No. A2011-47), Item No. 36 at 7 (Part IV). This estimate does not include any rental costs, as the Postal Service owns the building. *Id.* It also does not include a one-time expense of \$5,746 for installation of CBUs. *Id.* There does not appear to be any information about revenue in the Administrative Record.

The Postal Service's approach to calculating the economic savings is muddled. On the one hand, it inflates the estimated savings in several ways. First, a noncareer Postmaster Relief (PMR) is running the office. The PMR's salary and benefits, if any, are likely considerably less than \$30,738. Moreover, while the PMR may be separated, the PMR may be assigned elsewhere by the Postal Service. If so, this would reduce the savings estimate, as the PMR would draw a salary. In addition, the one-time expense

of \$5,746 for CBUs has been omitted. It also omits what would appear to be an ongoing need, at least for some time, to pay for utilities and insurance at the former Post Office building.

On the other hand, there is no indication on the record about the Postal Service's intentions regarding what is slated to become the *former* Post Office building. Does the Postal Service intend to sell, rent, or convert the building to some other use and, if so, what transaction costs will be associated with its actions and will there be a net profit or loss? In addition, there is no information or data on revenue generated by this office.

These are troubling aspects of the Postal Service's presentation. The cost estimate reflects a needlessly amateurish approach to a matter that is of great importance not only to the Francitas community, but to the Postal Service's efforts to address the future. How does providing an economic savings estimate that wouldn't pass muster in a basic accounting exercise help the Postal Service make its case for greater authority to manage its larger affairs with less oversight?

The Commission has expressed its interest in obtaining better savings estimates from the Postal Service in "A" cases. The Commission's point is well taken, as development of a more accurate and comprehensive estimate is in the Postal Service's interest, as well as in the interests of the general public.

IV. OTHER CONSIDERATIONS

Petitioner Jalufka raises a question about whether notices and questionnaires were properly distributed to the community. See Jalufka Participant Statement at 2 (Item Nos. 8 and 9). Petitioner Salinas raises similar questions about the consistency of the posting of the notice and availability of address information. Salinas Participant Statement (attached sheet).

In addition, several commenters, including Petitioner Salinas, inquire about the possibility of fewer hours or days of service as an alternative to wholesale closure of the Francitas office. The reason for not offering this option does not seem to be addressed in the Administrative Record. More disturbingly, Petitioner Jalufka asserts that the La

Ward office, which the Administrative Record indicates is the new administrative office, is also slated for closing. Jalufka Participant Statement at 2 (Item No. 7).

V. CONCLUSION

Review of the Postal Service's Final Determination, other materials in the Administrative Record, and the arguments presented by Petitioners Jalufka and Salinas presents a mixed picture: some procedures have been followed, but the net economic savings are not clear, and questions have been raised about irregularities or shortcomings surrounding distribution of questionnaires and the posted notice.

The procedural deficiencies and other factors justify a remand if the Commission concludes that more certainty is needed regarding due process for the patrons of the Francitas Post Office and the soundness of other aspects of the record. If the Commission concludes otherwise, the undersigned asks that the Commission reiterate the need for strict adherence to procedural requirements and respectable cost and revenue estimates.

Respectfully submitted,

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